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A N A C T
FOR THE
A T T A I N D E R
OF THE
R E B E L S
I N
I R E L A N D.

At the Parliament begun at *Westminster*, the 17th
day of *September*, *An. Dom.* 1656.

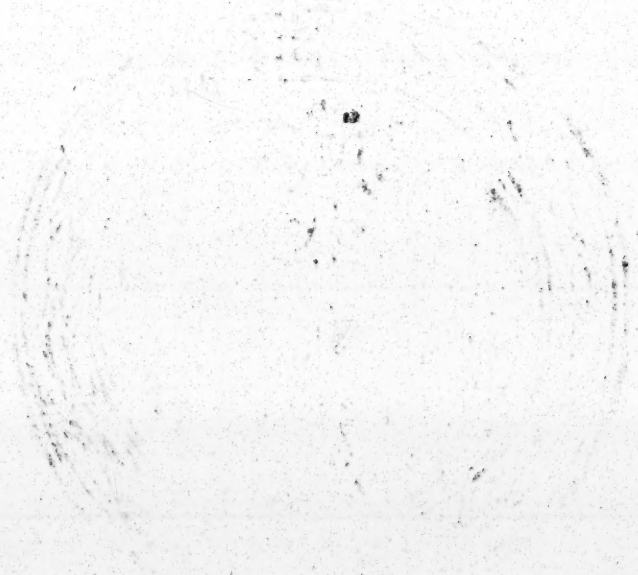


EDINBURGH,

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CHICAGO, ILL. 1900



AN ACT FOR THE ATTAINDER OF THE REBELS IN IRELAND.



Whereas, by the Blessing of God upon the Forces of this Commonwealth, The Rebellion begun in Ireland, the Thre and twentieth of October, 1641. Is, and is hereby declared to be Appeased and Ended, and to have been Appeased and Ended, and the Rebels subdued on the 26th of September, 1653. And Whereas through the bloody Cruelty of the said Rebels, in the slaughter of many such, as might have proved the Rebellion of divers of the said Rebels, the same is become very difficult to be proved against some particular persons; And Whereas many of the said Rebels are now dead, some in the fury of the Rebellion, and others since, by reason whereof no Conviction or Attainder can be had of them by the ordinary proceedings at Law; Whereby his Highness the Lord Protector, the Adventurers for Lands in Ireland, and the Officers and Souldiers, and
 A 2 others,

others, for whose Satisfactions, the Lands and Tenements of the said Rebels have been assigned and appointed (by Authority of Parliament) may be Entitled, Setled, and Quieted in the Seizing and Possession thereof.

And whereas by one Act of Parliament made in the seventeenth year of the late King Charls, and in the year of our Lord, One thousand six hundred forty one, Entitled, An Act for the speedy and effectual Reducing of the Rebels in his Majesties Kingdom of Ireland, to their Obedience to his Majesty and the Crown of England, **It is Enacted and Provided** (amongst other things) **That** all such Right, Title, Interest, Use, and Possession which the said Rebels, or any of them, on the said three and twentieth of October, One thousand six hundred forty one, had, or afterwards should have, in, or to any Lands, or other Hereditaments, should be forfeited and lost to the Kings Majesty, and should be deemed, adjudged, vested, and taken to be in the real and actual Possession of the said King, his Heirs, and Successours, without any Office, or Inquisition thereof to be found; And whereas the said Rebellion was begun, and principally fomented by persons of the Popish Religion; And whereas by the said Act, it is further Enacted, **That** every person which after the first day of March, One thousand six hundred and forty, should make, enter into, or take any Compact, Bond, Covenant, Oath, or Agreement, to introduce, or bring into the said Realm of Ireland, the Authority of the See of Rome, in any case whatsoever, to maintain or defend the same, should (by vertue of the said Act) forfeit unto his said Majesty, his Heirs and Successours,

sores, all his Lands, Tenements, and Hereditaments.

And whereas afterwards by an Act of Parliament, Entituled, An Act for the Setling of Ireland, It is Enacted, That all persons of the Popish Religion, residing in Ireland at any time, from the first of October, One thousand six hundred fourty one, who had not manifested their constant good Affections to the Interest of the Commonwealth of England, should forfeit, as in, and by the said Act is contained and expressed ; And in an Article or Qualification of the said Act, there is Provision made for all such of the Popish Religion, as have manifested their constant good Affection to the Interest of the Commonwealth of England ; And whereas, since the publication of the said Act in Ireland, and in pursuance thereof, there have been divers Proclamations or Declarations made, and published by the Authority there, whereby time, place, and persons have been assigned for the allowing of the benefit of the said Act, to such of the Popish Religion as should prove their said good Affection, which some of them have done, and thereby have obtained the Benefit of the said Qualifications, but others (conscious of their own guilt) have neglected the observance of the said Act, and Proclamations or Declarations, whereby they have rendered themselves Persons, justly to be concluded guilty of the said Rebellion. Now, to the intent and purpose, That his Highnesse the Lord Protector, the said Adventurers, and other Persons aforesaid, may be Entituled, Settled, and Established in the said Lands, and Tenements, according to the true intent and mean-
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ing

ing of certain Acts and Ordinances of Parliament heretofore made in that behalf: Be it Enacted by his Highnesse the Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereto belonging, and by this present Parliament, and the Authority of the same, That all and every person and persons, who were living on the said Three and twentieth day of October, One thousand six hundred forty one, or at any time since, named, or excepted by Name from Pardon for Life and Estate, in and by the said Act for the Settling of Ireland, who have not Compounded for their Delinquency, upon and according to his Highnesse Ordinances of the first of August, and second of September, One thousand six hundred fifty four; And all and every other person and persons of the Popish Religion, who have not manifested their constant good Affection, and the constant good Affection of such Ancestors from whom any Estate hath descended to them, since the year, One thousand six hundred forty one, to the Interest of the Commonwealth of England, and already proved the same, and obtained Judgment thereof before such persons as have been authorized to that purpose; And all and every other person and persons, who were living on the said Three and twentieth of October, One thousand six hundred forty one, or at any time since, whose Estates, or any part thereof, have been given forth, assigned, or disposed to any person or persons, by the late Commissioners of the Commonwealth in Ireland, or by the Lord Deputy and Council there, or by his Highnesse the Lord Protector's Council for the Affairs of Ireland, or by any Authority from, or under them,

or

or either, or any of them; And all and every person or persons, who were living upon the said Three and twentieth of October, One thousand six hundred forty one, or at any time since, who in, or by the return or answer of, or upon any Order, Direction or Warrant of the late Commissioners for the Affairs of Ireland, or of the Lord Deputy and Council in Ireland, or of any other by them, or any of them deputed or authorized thereunto, or who in, or by the return or answer of, or upon any Commission of Survey, or Inquiry, commonly called, The Civil Survey, or in, or by the return or answer of, or upon any other Commission of Survey and Inquiry, Office, or Inquisition already made at any time since the said Rebellion, is, or are set down, returned, or expressed to be of the Popish Religion, Recusants, Popish Recusants, Papists, Roman Catholics, or a Recusant, Popish Recusant, Papist, or Roman Catholick, or to have forfeited his or their Estate or Estates; And all and every person and persons, who have been Transplanted, or by any Act, Ordinance, Commission under the Great-Seal, or Instructions, are Transplantable into Connaught, or the County of Clare, shall stand, and be, and is, and are hereby declared and adjudged Rebels, guilty of the said Rebellion, and convicted and attainted of High-Treason.

And be it further Enacted and Declared, That all and every of the said person and persons so excepted by Name from Pardon, who have not Compounded as aforesaid; And all and every person and persons aforesaid, of the Popish Religion, who have not proved and ob-

tained Judgement as aforesaid, of their, or
 their Ancestors constant good Affection; And
 all, and every the said Person and Persons,
 whose Estates, or any part of whose Estates,
 have been assigned or disposed to any other, or
 others, as aforesaid; And all, and every other
 the Rebels and Persons by this Act attainted
 of High-Treason, have thereby lost and for-
 feited, and shall by the authority of this Act be
 deemed and adjudged to have lost and forfeited,
 and to lose and forfeit to the Commonwealth,
 to the intents and purposes aforesaid, from the
 said Three and twentieth of October, One thou-
 sand six hundred forty one, All and every such
 Honours, Baronies, Territories, Counties,
 Castles, Mannors, Messuages, Lands, Tene-
 ments, Possessions, Rents, Reversions, Re-
 mainders, Rights, Uses, Conditions, Inte-
 rests, Offices, Fees, Annuities, and all other
 Hereditaments, Chattels, and other Estates
 Whatsoever, which they, or either, or any of
 them, or any other person or persons, to their,
 or any, or either of their use or uses, or in trust
 for them, or any, or either of them hath, have,
 or had on, or at any time since the said Three
 and twentieth of October, One thousand six hun-
 dred forty one; And also to have lost and for-
 feited as aforesaid, all Honours, Dignities, Pla-
 ces, Offices and Preferments Whatsoever.

Provided, That this Act, or any thing there-
 in contained, shall not extend to make void the
 Estate of any Protestant, that was at the be-
 ginning of the Rebellion a Protestant, and
 ever since continued so, their Heirs, Executors,
 or Administrators, who have adhered to the
 Parliament, or been pardoned, or admitted to

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Composition by any of his Highness said Ordinances of the first of August, or second of September, One thousand six hundred fifty four, which ought rightfully to descend upon them, from any the said persons hereby attainted and convicted, or which have been settled in the said Rebels, or Papists, or any of them in trust, only to, and for the use of the said Protestants; nor to the making void of any Estate of Inheritance, Freehold, or Lease, which hath been by any of the said Protestants adhering to the Parliament, for valuable considerations, purchased or taken before the said three and twentieth of October, One thousand six hundred forty one, of any of the said person or persons hereby attainted or convicted, or upon like valuable consideration Mortgaged before that time to the said Protestants, or to any person or persons in trust for them, for satisfaction of Debts owing unto them; nor to the making void the Estate of any persons, who have proved their Rights, and obtained Judgment or Decree for the same, from or by the late Court for Adjudication of Claims in Ireland.

Provided also, That this Act, or any thing therein contained, shall not be prejudicial to Elizabeth Countess of Ormond, or any of her Children, for any Mannors, Lands, or Hereditaments, which were heretofore the Inheritance of the said Countess, and were allowed or decreed to her and her Children, or any of them, by the said late Court for Adjudication of Claims in Ireland: And whereas there have been divers Declarations, and Proclamations made and published in Ireland, That all persons of the Protestant Religion, that had any Estate, Possession,

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on,

on, Right, Title, Interest, Demand, or Incumbrance whatsoever, in, to, upon, or out of any of the said Rebels Lands, or other Hereditaments whatsoever within the ten Counties, in certain Instructions to Charls Fleetwood Esq; Lieutenant General of the Army in Ireland, Edmond Ludlow Esq; Lieutenant General of the Horse, Miles Corbet Esq; and John Jones Esq; to that end mentioned, and within the County of Lowth, should make and prove their Claim unto the same, as by the said Proclamations, or Declarations is, and hath been required: Notwithstanding which, divers of the said persons have not prosecuted their Claims to Judgment.

Be it therefore Enacted, That all and every person and persons, Bodies Politick and Corporate, their Heirs and Successors, and the Heirs and Successors of every of them, and all and every other person and persons, claiming by, from, or under them, or any of them, or to their, or any of their uses, or in trust for them, or any of them, (other then such person and persons, and the Heirs and Assigns of such person and persons, who are by this Act convict and attainted, or whose Estates are hereby declared to be forfeited as aforesaid) who upon the said three and twentieth day of October, One thousand six hundred forty one, had any lawfull Estate, Right, Title, Interest, Use, Possession, Reversion, Remainder, Office, Annuity, Rent, Common, Debt, Demand, Charge, or Incumbrance whatsoever, of, in, to, upon, or out of any Honors, Castles, Mannors, Messuages, Lands, Tenements, Rents, Reversions, Remainders, Uses, Possessions, Offices, Rights, Con-

Conditions, or any other Hereditaments or Things whatsoever, within the said Eleven Counties afore-mentioned, lost and forfeited, or to be lost and forfeited by this Act, or by any other Act or Acts, Ordinance or Ordinances of Parliament; And who before the three and twentieth day of October, which was in the year, One thousand six hundred fifty four, have made, put in, and entred his or their Claim or Claims thereof, before such person and persons, as at any time before the said three and twentieth of October, One thousand six hundred fifty four, were authorized to receive the same, not having already obtained Judgment in that behalf from the said Court of Claims, or his Highness Court of Exchequer in Ireland; shall by himself or themselves, his or their Guardian or Guardians, next Friend or Friends, lawfull Attourney or Attourneys, on or before the first of December, One thousand six hundred fifty seven, prove and make the truth and reality of such Estate, Right, Title, Interest, Use, Possession, Reversion, Remainder, Office, Annuity, Rent, Common, Debt, Demand, Charge, and Incumbrance whatsoever, to be and appear, and to be adjudged lawfull before the Chancellor and Barons of his Highness Exchequer in Ireland.

Provided, that this Act, nor any thing therein contained, nor the Ordinance of his Highness and Council, of the three and twentieth day of June, One thousand six hundred fifty four, appointing the Claims of Protestants in Ireland, to Lands, Tenements, and Hereditaments in the Eleven Counties, to be entred and determined by a certain day in the said Ordinance prefixed; shall exclude William Halfey Esq; and Alice his
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wife,

Wife, from entering their Claim in the Court of Exchequer, to such Lands, Tenements, and Hereditaments, as are now in their possession within the said Eleven Counties, so as the same be entered and prosecuted within twelve moneths after the passing of this Act.

And be it further Enacted by the Authority aforesaid, That all and every person and persons, Bodies Politick and Corporate, their Heirs, Executors, Administrators, and Successors, (except the said persons hereby convict or attaint, or forfeiting as aforesaid) who on the said three and twentieth day of October, One thousand six hundred forty one, or at any time since, had any lawfull Right, Title, Interest, Possession, Reversion, Remainder, Office, Annuity, Rent, Common, Debt, Demand, Charge and Incumbrance whatsoever, in, to, or out of any of the Houses, Mannors, Castles, Lands, Tenements or Hereditaments hereby forfeited as aforesaid, lying and being in any other County or Counties in Ireland, (besides the said Eleven Counties afore-mentioned) shall, and may, and are hereby authorized, to exhibite his and their respective Claim and Claims to the same, within such time, and before such Judges, as the chief Governour or Governours of Ireland, and the Council there shall appoint or declare; and shall prosecute his and their said Claims to Judgment or Decree, within such time as the chief Governour or Governours of Ireland and the Council there shall appoint and declare; (Provided such time for the perfecting of the said Claims, exceed not the first of June, One thousand six hundred fifty eight) who are hereby authorized and required to make the above-said

said Appointments and Declarations accordingly.

And that all and every such Claimant and Claimants, as well without as within the said Eleven Counties, their Heirs, Executors, Administrators and Successors, after such Judgment or Decree upon his and their said Claims obtained, shall and may peaceably and quietly enter into, have, hold and enjoy all and every such Houses, Mannors, Castles, Lands, Tenements and Hereditaments, so to him and them adjudged and decreed, according to such Estate, Interest and Term, as is or shall be, in and by his and their respective Judgment or Judgments, Decree or Decrees, mentioned, expressed and declared; And in case any of the respective person or persons, who have such Right to claim as aforesaid, shall neglect to put in, or exhibite his or their said respective Claim or Claims, (or having put in or exhibited the same) to prosecute the same to Judgment or Decree within the respective times to him and them, to those ends and purposes severally limited and appointed, as aforesaid; That then and from thenceforth all and every the said Estate, Right, Title, Interest, Use, Possession, Remainder, Reversion, Office, Annuity, Service, Rent, Common, Debt, Charge and Incumbrance, which every such person or persons had and might have claimed, obtained and enjoyed as aforesaid; shall be, and are hereby discharged, extinct, made null and void: And the said Honors, Castles, Mannors, Messuages, Lands, Tenements, Hereditaments, and all and every the Premises, shall stand and be for ever, after the said several daies thereunto severally limited and appointed, for

exhibiting and tryal of the said Claims, as aforesaid, acquitted, freed and discharged thereof.

Provided alwayes, and be it Enacted by the Authority aforesaid, That all and every person and persons in Ireland, who have been comprized within any Articles granted or agreed unto, by any Commander of the Parliaments Forces, or others thereunto authorized by the Parliament, shall nevertheless enjoy the benefit of the said Articles, as in and by the said Act, Entituled, An Act for the settling of Ireland, is declared.

Provided also, That all and every person and persons of the Popish Religion, who are transplanted into Connaught or Clare, and have had any proportion or proportions of Land there, set forth unto them by vertue of the said Act, for the settling of Ireland, (except Priests, Jesuites, and other persons in Orders by Authority of the See of Rome) shall enjoy, and they and their respective Heirs, Executors, Administrators and Assigns, are hereby enabled to have, hold, possesse and enjoy the same, or so much thereof as to them respectively of right belongeth, by their respective Qualifications in the said Act mentioned, for and during such Estate of Inheritance, Freehold, Number of Years or Lives, as they respectively had in the said Lands, from which they were transplanted.

Provided neverthelesse, That if any person or persons within any of the aforementioned Qualifications, and who are hereby attainted, not being thereunto licensed by Publick Authority, have not yeelded Obedience to the said Declarations, nor removed themselves and Families, at or before the four and twentieth of September, One thousand six hundred fifty seven, in-
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to the Province of Connaught, or County of Clare, or shall not transplant themselves and Families, according to the intent and meaning of such Declarations, within three moneths after the publication hereof, the said person and persons, and every of them so offending as aforesaid, and the heirs of them, and every of them, shall for ever forfeit the Favour, Mercy and Benefit heretofore intended and held out to them, by the said Declarations, and by an Act of State, Entituled, Further Instructions to Charles Fleetwood, Esq; Lieutenant General of the Army in IRELAND, Edmond Ludlow, Esq; Lieutenant General of the Horse, Miles Corbet, Esq; and John Jones, Esq; bearing date the second day of July, One thousand six hundred fifty three, and shall be liable to all and every the penalties in this Act mentioned, and which, according to the Law, are due to be inflicted on Rebels and Traytors, and shall be and are hereby utterly disabled, to claim, inherit or enjoy any Lands, Tenements or Hereditaments in the said Province, or elsewhere in Ireland, Any thing in this Act to the contrary notwithstanding.

Provided also, That no person whatsoever, shall suffer the pains of death by force of this Act, other then such person or persons who are comprized within some, or one of the four first Qualifications, contained in the said Act for the settling of Ireland; And Whereas by the said Instructions, bearing date the second of July, One thousand six hundred fifty three, Entituled, Further Instructions unto Charles Fleetwood, Esq; Lieutenant General of the Army in IRELAND, Edmond Ludlow, Esq; Lieutenant General of the Horse, Miles Corbet, Esq; and John Jones, Esq; there are several

Powers given to the said Charls Fleetwood, Edmond Ludlow, Miles Corbet, and John Jones, in order to the **Safety and Settlement** of Ireland, to remove and transplant into the Province of Connaught and County of Clare, all and every such person and persons as were comprehended and mentioned in any the Qualifications in the said Act, Entituled, An Act for the Setling of Ireland, which Powers the said persons so authorized, have by their several Orders, Commissions, and Declarations pursued and put in execution; And whereas the Children, Grandchildren, Brothers, Nephews, Uncles, and next pretended Heirs, and other active Kinred of the said persons, attainted as aforesaid, do remain in the Provinces of Leynster, Ulster, and Munster, (besides the said County of Clare) having little, or no visible Estates or Substance, but living idely, and colhering upon the Common sort of people, who were late Tenants to, or followers of the respective Ancestors of such idle and colhering persons, waiting an opportunity (as may be justly supposed) to massacre and destroy the English, who as Adventurers, and Soldiers, or their Tenants, are set down to Plant upon the several Lands and Estates of the said persons so attainted as aforesaid; For prevention of the dangers and inconveniences which may ensue thereupon;

Be it further Enacted by the Authority aforesaid, That all and every the said Children, Grandchildren, Brothers, Nephews, Uncles, next pretended Heirs, and other active Kinred, of all and every the said persons attainted as aforesaid, except such as were Protestants on the three and twentieth of October, One thousand six hun-

hundred forty one, and have ever since so continued, Or such Papists who have made proof of their constant good Affection, shall, within six moneths next ensuing the publication of this Act in Ireland, remove and transplant themselves and families into the said Province of Connaught and County of Clare, or one of them, there to remain and inhabit, and not to return into any of the said Provinces of Leynster, Ulster, and Munster, (except the said County of Clare) without Licence from the chief Governour or Governours of Ireland for the times being: And if any the said person or persons so attainted, or any of his or their Children, Brothers, Nephews, Uncles, next pretended Heirs, or other active Kinsred, (except before excepted) shall at any time after the end of the said six moneths next after the publication of this Act in Ireland, be found in any of the said Provinces of Leynster, Ulster, and Munster, (except the said County of Clare) That then, and in every such case, the Lord Deputy and Council, or other the chief Governour or Governours of Ireland for the time being, be, and are hereby authorized and required, to cause all and every such person or persons so offending, to be apprehended and committed to the common Goal for the respective County or Counties, where the said person or persons so offending shall be found, there to remain without Bail or Mainprize, until the next Goal-delivery, or General Sessions of the Peace, which shall first happen to be held for the said County or Counties; And the Justices of Assize, or Goal-delivery, as also the Justices of the Peace in their General Quarter-Sessions of the said County or Counties, where such person or persons shall

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stand

stand committed as aforesaid, are hereby authorized, to hear and determine all and every the said offence and offences, for which they shall so stand committed; And upon Conviction of the said person or persons so offending as aforesaid, he or them to condemn to perpetual Banishment, and him or them so condemned, to remand until and continue in Prison without Bail or Mainprize, until he or they so convict as aforesaid shall, by Order of the said Lord Deputy and Council, or other the chief Governour or Governours of Ireland for the time being, be sent into America, or some other parts beyond the Seas, in pursuance of the said Sentence of Banishment, which the said Lord Deputy and Council, or the chief Governour or Governours for the time being, are hereby authorized and required to put in execution accordingly.

And be it further Enacted by the Authority aforesaid, That if any such person or persons so convict, banished, and sent beyond the Seas as aforesaid, shall at any time after such his or their being so disposed of into Banishment, return into any part of the Commonwealth of England, Scotland, and Ireland, without Licence, under the Great Seal of England, for such his or their Return; That then every such person and persons so returning without Licence as aforesaid, shall be, and is, and are hereby declared and adjudged to be guilty of Felony; and upon Conviction, shall for the same suffer the pains of death as Felons, by virtue of this Act, without benefit of Clergy.

And Whereas divers Leases, Bargains, and Sales have been made for valuable Considerations, since the first day of July, One thousand
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six hundred forty seven, and before the twelfth of August, One thousand six hundred fifty two, by severall of the Inhabitants of Dublin, and other English in Ireland, With Irish Papists not guilty of aiding, advising, assisting, or abetting the Rebellion in Ireland, which Estates or Interests have been, and are in the quiet and constant possession of the Purchaser, ever since such Bargain; And whereof the said Purchaser hath ever since received the Profits: The Lord Deputy and Council of Ireland, or any three or more of them, are hereby authorized and required, to hear and determine all Claims made by any of the said English, by vertue of such Bargains, And to give such Sentence concerning the same, as to them shall seem just and agreeable to Law and good Conscience; which Sentence and Determination shall be final and conclusive to all parties concerned, Any thing in this Act to the contrary in any wise notwithstanding.

Provided such Sentence or Determination be made before the first of June, One thousand six hundred fifty eight.

Provided also, That all and every person and persons, before by this Act attainted of High-Treason, shall, and are hereby restored to their severall and respective Bloods and Linages, and be enabled to make his and their respective Conveyances, Conveyances, Pedigree or Pedigrees, Demand or Demands, Claim or Claims, Title or Titles, by descent, lineal or collateral, from, by, and under his and their Father or Fathers, Grandfather or Grandfathers, and other his or their Ancestors or Kinred respectively, for, and to all manner of Lands, Tenements and Hereditaments, which were given, laid out, allotted

or assigned to them, or either of them, or any other person or persons in trust for them or either of them respectively, or for their wives or Children, or the heirs, Executors, Administrators or Assigns of such person or persons respectively, to whom such Lands were so allotted or assigned in the Province of Connaught, or County of Clare, or either of them, and not elsewhere; And that they and every of them, his and their heirs, Executors, Administrators and Assigns respectively, shall and may quietly and peaceably enjoy the same accordingly, Any thing in this Act to the contrary contained notwithstanding.

Provided also, That the persons aforesaid by this Act attainted, nor any of them, shall be adjudged or deemed attainted of High-Treason, as to the forfeiture of their respective Goods and Chattels personal, but that they and every of them respectively, may enjoy and dispose of their said Goods and Chattels personal, by any Act done, or to be done by them, during their respective Lives, or by their last wills and Testaments; And that their Executors, Administrators, Devisees, Children or Kindred, shall, and may have and enjoy the same according to the Law, Any thing in this Act contained to the contrary notwithstanding.

Provided alwayes, That this Act, or any thing therein contained, do not extend, nor shall be construed, deemed or adjudged to extend to the attainder or prejudice of any Popish Recusant of this Nation of England, who hath not acted in, aided or abetted the said Rebellion in Ireland, nor was resident in Ireland at any time from the first of October, One thousand six hundred forty one, to the first of March, One thousand six hundred

dred and fifty, Any thing in this Act contained to the contrary in any wise notwithstanding.

Provided alwaies, That this Act, or any thing therein contained, shall not be prejudicial to Henry Somerset Lord Herbert, but that he the said Henry Lord Herbert, and the Heirs of his Body, shall and may from and after the death of Edward Earl of Worcester his Father, have, hold and enjoy all Honors, Dignities and Titles of Honor, which belonged to Henry Earl of Worcester his Grandfather, or to the said Edward Earl of Worcester his Father, in, or before the Year, One thousand six hundred and forty, as fully and amply, as if the said Earl of Worcester had never committed any Treason, or been attainted; And that this Act, or any Attainder of the said Earl of Worcester, shall not extend to make any corruption of Blood of the said Henry Lord Herbert, or the Heirs of his Body.

Provided alwaies, and be it further Enacted by the Authority aforesaid, That this Act shall not extend to any person or persons of the Popish Religion of the Towns of Youghall, Cork, and Kinsale, or any of them, in the year, One thousand six hundred and forty, their Heirs and Widows, as have not aided, assisted, or abetted the Irish Rebels in Ireland, and shall be adjudged to fall under the Eighth Qualification of the Act for the Settling of Ireland, but that the said Natives and inhabitants, their Heirs and Widows, and every of them, be exempted from personal transplantation into the Province of Connaught, or County of Clare; And that Commissioners be forthwith appointed, and authorized by the Council of Ireland, to examine and adjudge how many of the said Natives or Inhabitants, their
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Heirs or widows, fall under the said Qualification, and what proportions of Land they, and every of them ought to have and enjoy, in pursuance of the said Act of Settlement, and that the said Commissioners, or such others as the said Council shall on that behalf appoint, and they are hereby authorized and required to set out and apportion to the said Natives and Inhabitants, their Heirs and Widows respectively, in satisfaction of their respective Decrees so to be had and obtained from the said Commissioners, such forfeited Lands in the Baronies of Barrymore and Muskerry, or either of them, in the County of Cork, as are two miles distant at least from any walled Town or Sea-port, Any thing in the said Act of Settlement, or in any other Acts, Ordinances, or Instructions contained to the contrary notwithstanding.

Provided also, That all the Surveys, or Civil Surveys, or other Returns so called, and all Books, Maps, Plots of Survey, and all other Writings and Things concerning the Surveying, Admeasuring, Distribution, and Disposing of the Rebels, Delinquents, and Papists Lands in Ireland, which are, or were in the hands of the Surveyor-General, or any other person or persons whatsoever, shall within three moneths after the publication of this Act in Ireland, be brought into, lodged, and placed in his Highness Court of Exchequer in Ireland, there to remain of Record for the service of the Commonwealth; And if any person or persons shall have in his or their custody, or the custody of any other, any of the said Surveys, Maps, Books, or particulars aforesaid, and shall not bring into the said Court, within the time afore limited, the said

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Surveys, and other the particulars aforesaid, shall, on their Conviction thereof in the Court of Upper-Bench in Ireland, forfeit one hundred pounds, to the use of his Highness and his Successors, and be imprisoned without Bail or mainprize, until he or they shall bring in the same, undefaced, and unabused.

And be it further Enacted by the Authority aforesaid, That the chief Governour or Governours of Ireland for the time being, and the Council there, in the absence of the chief Governour or Governours of Ireland, be, and they are hereby authorized and required, to set out, and cause to be settled on the Probost and Burgeses of the Town of Bandon-Bridge in the County of Cork in Ireland, such, or so much of the Lands, Tenements, and Hereditaments in the County of Cork, formerly belonging to Irish Rebels, as the said Probost and Burgeses are now possessed of, as Tenants to his Highness and this Commonwealth, and as do not exceed the yearly value of two hundred pounds, as the same were worth to be let in the year, One thousand six hundred and forty, to have and to hold the said Lands, Tenements, and Hereditaments to the said Probost and Burgeses, and their Successors for ever, for, and towards the support of the publick Charges, and publick Offices in the said Town, As also in consideration of the good and faithful Service done by the Inhabitants of the said Town against the Rebels in Ireland, in the late Rebellion there, And in full Discharge of all Moneys lent by the Corporation of the said Town of Bandon-Bridge, upon the Publick Faith.

Provided alwaies, That if Nicholas Barnwel of Turvey, shall at any time before the first day of

December, which shall be in the year of our Lord, One thousand six hundred fifty and eight, make appear his constant good affection to the Interest of the Parliament in Ireland, before such persons, and in such manner as heretofore hath been appointed, for the receiving and judging Claims there, or before his Highness and the Council in England, and obtain Judgment or Declaration thereupon: This Act or any thing therein contained, shall not extend to attaint the said Nicholas Barnwel, nor to make forfeiture of the Estate of the said Nicholas Barnwel, in any Lands, Tenements, or Hereditaments; But that the Rights, Interest and Claim of him the said Nicholas, his Heirs and Assigns, in, and to the same, remain and continue such, and no other, then as if this present Act had not been had nor made, Any thing in this Act to the contrary hereof in any wise notwithstanding.

Provided alwayes, and be it further Enacted, That nothing in this, or any other Act contained, shall extend to the Attainder or Transplantation of Tibbot Roche, son of Ulick Roche of Balmagooly in the County of Cork, (which said Ulicks constant good affection hath been proved before the Judges of Claims at Athlone, And the said Tibbot brought up in the Protestant Religion) but that the said Tibbot may quietly and peaceably enjoy all the Lands and Hereditaments, which have been proved before the said Judges of Claims at Athlone, to be the Legal right and Inheritance of the said Tibbot Roche.